

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JERRY LLOYD SEWARD,)	
)	
Petitioner,)	
)	
-vs-)	Case No. CIV-07-246-F
)	
WARDEN PROVINE,)	
)	
Respondent.)	

ORDER

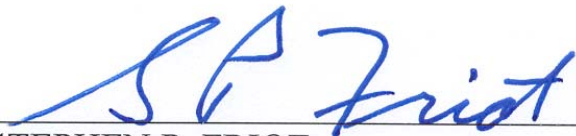
On March 6, 2007, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation, wherein he recommended that petitioner's motion for leave to proceed *in forma pauperis* be denied and that petitioner be ordered to prepay the full \$5 filing fee for this action to proceed. Magistrate Judge Argo further recommended that unless petitioner pays the \$5 filing fee in full to the clerk of the court within 20 days of any order adopting the Report and Recommendation, this action should be dismissed without prejudice to refiling. In the Report and Recommendation, Magistrate Judge Argo advised petitioner of his right to file an objection by March 26, 2007, in accordance with 28 U.S.C. § 636 and Local Civil Rule 72.1. He further advised petitioner that failure to timely object to the Report and Recommendation waives the right to appellate review of the factual and legal issues therein contained.

To date, petitioner has not filed an objection to the Report and Recommendation and has not requested an extension of time to file an objection. With no objection

being filed, the court accepts, adopts, and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo on March 6, 2007 (doc. no. 6) is **ACCEPTED**, **ADOPTED**, and **AFFIRMED**. Petitioner's Motion for Leave to Proceed *In Forma Pauperis*, filed February 27, 2007 (doc. no. 2), is **DENIED**. Petitioner is **DIRECTED** to pay the \$5 filing fee in full to the clerk of the court within 20 days of this order. Failure to do so shall result in the court's dismissal of this action without prejudice to refiling.

DATED April 10, 2007.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE